

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JACQUES DESROSIERS and  
YOLETTE L. DESROSIERS,

Plaintiffs,

v.

SIG SAUER, INC.,

Defendant.

C.A. NO. 1:22-CV-11674-PBS

**DEFENDANT SIG SAUER, INC.'S MOTION FOR JUDGMENT AS A MATTER OF  
LAW REGARDING PLAINTIFFS' COUNT II (BREACH OF WARRANTY)  
(MEMORANDUM INCORPORATED)**

Pursuant to Fed. R. Civ. P. Rule 50(a), defendant Sig Sauer, Inc. ("Sig Sauer") hereby moves for an Order directing a verdict in its favor related to Plaintiffs' claim for breach of implied warranty (Count II) asserted in their Complaint.<sup>1</sup> As grounds, Sig Sauer asserts that Plaintiffs have failed to provide sufficient evidence from which a reasonable jury could find that the P320 was defectively designed or that a tabbed trigger would have prevented Plaintiff's accidental discharge. Therefore, given the absence of any evidence from which a reasonable jury could find for Plaintiffs, the Court should enter judgment as a matter of law in Sig Sauer's favor on Plaintiffs' breach of warranty claim (Count II).<sup>2</sup>

In further support of its Motion, Sig Sauer states as follows:

<sup>1</sup> The Court previously dismissed Plaintiffs' claim for intentional infliction of emotional distress (Count IX) and their request for punitive damages, *see* Memorandum and Order dated 06/24/25 (Dkt. 110), and Plaintiffs voluntarily dismissed their Negligence (Count I) and Negligent Infliction of Emotional Distress (Count III) claims prior to the start of trial. *See* Joint Pretrial Memorandum dated 07/01/25 (Dkt. 127).

<sup>2</sup> Sig Sauer reserves its right to supplement this Motion, and the arguments set forth herein, with any additional testimony or evidence elicited during trial at the close of all evidence. Such testimony or evidence has not yet been elicited as of the time of drafting this Motion and, therefore, could not be considered or incorporated as appropriate.

7/21/25  
Denied.  
Paul Sals